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08/27/99  
1644 U.S. PRO

Practitioner's Docket No. D-1079 DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): James A. Michael; David T. Frederick; and H. Thomas Graef

For (title): Method For Dispensing Medical Items

1. Type of Application

This transmittal is for a divisional application.

2. Benefit of Prior U.S. Application (35 U.S.C. 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are  
ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.

CERTIFICATION UNDER 37 C.F.R. 1.10\*

(Express Mail label number is **mandatory**.)

(Express Mail certification is optional.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date August 27, 1999, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL342464555US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Ralph E. Jocke

(type or print name of person mailing paper)

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

APPLICATION CLAIMED.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

39 Page(s) of Specification

12 Page(s) of Claims

18 Sheet(s) of Drawing(s)—Informal

B. Other Papers Enclosed

1 Page(s) of abstract

**4. Additional Papers Enclosed**

Preliminary Amendment

**5. Declaration or Oath**

Enclosed

Executed by:

• inventors.

**6. Inventorship Statement**

The inventorship for all the claims in this application is not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, will be submitted, if requested.

**7. Language**

English

**8. Assignment**

An assignment of the invention to Diebold, Incorporated is attached.

9. **Fee Calculation (37 C.F.R. 1.16)**

Regular Application. Cancel claims 2-39 prior to calculating filing fee.

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$760.00
Total Claims (37 CFR 1.16(c))	1	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$78.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	

Amendment cancelling extra claims is enclosed. Enter the Preliminary Amendment.

Filing Fee Calculation \$760.00

10. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$760.00  
Recording assignment (\$40; 37 C.F.R. 1.21(h))  
(See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".) \$40.00

**Total Fees Enclosed** \$800.00 Fee  
Payment Total Fees Enclosed

**11. Method of Payment of Fees**

Charge Account No. 04-1077 (Diebold, Incorporated) in the amount of \$800.00.

A duplicate of this transmittal is attached.

**12. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 04-1077 (Diebold, Incorporated).

37 C.F.R. 1.16(a), (f) or (g) (filing fees)

37 C.F.R. 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. 1.17 (application processing fees)

**13. Instructions as to Overpayment**

Credit Account No. 04-1077 (Diebold, Incorporated).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**14. Relate Back**

**A. 35 U.S.C. § 119(e)**

"This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

60/045,137

**FILING DATE**

April 30, 1997

09384650-082799

**B. 35 U.S.C. §§ 120, 121 and 365(c)**

"This application is a divisional of copending application

Application number 08/879,997 filed on June 20, 1997."

"The nonprovisional application designated above, namely application 08/879,997, filed June 20, 1997, claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

60/045,137

**FILING DATE**

April 30, 1997

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are the same.

b. The inventorship for all the claims in this application are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made will be submitted, if requested.

  
SIGNATURE OF PRACTITIONER

Reg. No. 31,029  
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